

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 01-0344-02 MHP

Plaintiff(s),

**AMENDED ORDER REVOKING
SUPERVISED RELEASE AND
JUDGEMENT**

v.

LAPRELL KENT,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appearance was waived and was represented by his attorney Susan Rafanti. The United States was represented by Assistant United States Attorney Wilson Leong.

The defendant submitted a written signed document in which he acknowledged he was advised of and waived the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds based upon these written submissions and the written and verbal representations by defendant's counsel that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation;

that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives his right to a hearing, his counsel consenting thereto.

The court finds that the defendant has admitted to the violations as alleged in the petition to revoke and that such violations are sufficient cause to revoke supervised release.

Charge 1: Violation of Standard Condition which states that defendant shall not commit any federal, state, or local crime in that on July 31, August 2, 8, 11, 12, 17, 20, and 23, 2008, defendant used a wire communications to facilitate a violation of a felony provision or to conspire any felony provision in violation of Arizona state law.

Charge 2: Violation of Standard Condition which states that defendant shall not commit any federal, state, or local crime in that on July 31, August 11, and 23, 2008, defendant, with the intent to promote or facilitate an offer to transfer or sell a dangerous drug from another, requested or solicited another to engage in specific conduct which would establish the other person's complicity in the commission of the offer, transfer or sale of a dangerous drug, in violation of Arizona state law.

Based on the foregoing,

IT IS ADJUDGED that Supervised Release is hereby REVOKED and defendant shall serve eighteen (18) months custody Bureau of Prisons, to be served concurrently to the remainder of the sentence imposed in CR 2008-009327-022 DD. In imposing this sentence, the court has given the defendant credit for guideline purposes under USSG 5G1.3(b) for twelve months he served in state custody that is included in the instant federal case. No further term of supervised release is ordered.

Dated: March 10, 2011


MARILYN HALL PATEL
United States District Court